

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON STATE ADMINISTRATION

Call to Order: By Chairman Dennis Himmelberger, on January 26, 2009 at 9:00 A.M., in Room 455 Capitol.

ROLL CALL

Members Present:

Rep. Dennis Himmelberger, Chairman (R)
Rep. Sue Dickenson, Vice Chairman (D)
Rep. Russell Bean (R)
Rep. Tony Belcourt (D)
Rep. Joel Boniek (R)
Rep. Frosty Boss Ribs (D)
Rep. Gordon R. Hendrick (R)
Rep. Pat Ingraham (R)
Rep. Gary MacLaren (R)
Rep. Sue Malek (D)
Rep. Mike Phillips (D)
Rep. Ted Washburn (R)
Rep. Franke Wilmer (D)

Members Excused: None.

Members Absent: Rep. Jesse O'Hara, Vice Chairman (R)
Rep. Dee Brown (R)
Rep. Mary Caferro (D)
Rep. Betsy Hands (D)
Rep. Kendall Van Dyk (D)

Staff Present: Sheri Heffelfinger, Legislative Branch
Marshall McEwen, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 277, 1/20/2009; HB 289,
1/20/2009

Executive Action: HB 30, HB 18

HEARING ON HB 277

Opening Statement by Sponsor:

00:02:57 Rep. Mike Menahan (D), HD 82, opened the hearing on **HB 277**, Allow person under 18 yrs to vote in primary if 18 yrs at general election.
00:08:39 Rep. Brown entered the room.

Proponents' Testimony:

00:10:23 Clair Menahan
00:11:28 Jim Brown, Representing Ms. Shelby F. DeMars
EXHIBIT(sth18a01)
00:13:21 Rep. Caferro and Rep. Hands entered the room.
00:17:06 Linda McCulloch, Montana Secretary of State
EXHIBIT(sth18a02)
00:19:30 Terry Minow, MEA-MFT

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:20:21 Rep. Brown
00:20:52 Ms. McCulloch
00:21:04 Rep. Brown
00:21:11 Rep. Washburn
00:21:34 Chairman Himmelberger
00:21:50 Rep. Menahan
00:22:09 Chairman Himmelberger
00:22:38 Rep. Washburn
00:22:48 Rep. Menahan
00:23:38 Chairman Himmelberger
00:24:05 Ms. Heffelfinger
00:24:18 Rep. O'Hara entered the room.
00:25:12 Chairman Himmelberger
00:25:34 Rep. Phillips
00:25:55 Rep. Menahan
00:26:21 Rep. Wilmer
00:27:07 Rep. Menahan

00:28:33 Rep. Wilmer
00:28:56 Rep. Menahan

Closing by Sponsor:

00:29:35 Rep. Menahan
00:31:18 Chairman Himmelberger
00:31:29 Ms. McCulloch
00:32:00 Chairman Himmelberger

HEARING ON HB 289

Opening Statement by Sponsor:

00:32:33 Rep. Mike Phillips (D), HD 66, opened the hearing on **HB 289**, Revise constitutional limitations on legislative adjournment.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:37:34 Rep. Brown
00:38:18 Rep. Phillips
00:39:09 Rep. Van Dyk entered the room.
00:40:48 Rep. Malek
00:41:07 Rep. Phillips
00:42:03 Rep. Hands exited the room.
00:42:45 Rep. Malek
00:42:59 Rep. Phillips

Closing by Sponsor:

00:43:58 Rep. Phillips
00:44:18 Chairman Himmelberger
00:44:34 Committee takes a break.
01:14:54 Committee reconvenes. Rep. Hands is not present after the break.

EXECUTIVE ACTION ON HB 30

01:15:40 **Motion:** Rep. Brown moved that **HB 30 DO PASS.**

Discussion:

01:15:47 Chairman Himmelberger

01:16:31 **Motion:** Rep. Hendrick moved that **HB 30 BE AMENDED.**
EXHIBIT(sth18a03)

Discussion:

01:17:20 Rep. Phillips
01:17:34 Rep. Hendrick
01:18:00 Rep. Phillips
01:18:50 Rep. Wilmer
01:19:16 Rep. Ingraham
01:19:48 Rep. Brown
01:20:53 Rep. Caferro
01:21:30 Rep. Hendrick
01:21:56 Rep. Caferro
01:22:22 Rep. Hendrick
01:22:53 Rep. Phillips
01:22:56 Rep. Brown
01:23:23 Chairman Himmelberger
01:23:59 Ms. Heffelfinger
01:24:08 Rep. Phillips
01:25:06 Rep. Malek
01:25:42 Rep. Bean
01:26:18 Chairman Himmelberger

01:26:42 **Vote:** Motion failed 9-9 by roll call vote with Rep. Bean, Rep. Boniek, Rep. Brown, Rep. Hendrick, Rep. Himmelberger, Rep. Ingraham, Rep. MacLaren, Rep. O'Hara, and Rep. Washburn voting aye.

01:27:54 Chairman Himmelberger
01:27:57 Rep. Wilmer

01:28:59 **Motion:** Rep. Wilmer moved that **HB 30 BE AMENDED.**
EXHIBIT(sth18a04)

Discussion:

01:29:23 Rep. Dickenson
01:29:45 Rep. Ingraham
01:30:09 Ms. Heffelfinger
01:30:56 Rep. Phillips
01:31:16 Ms. Heffelfinger

01:31:25 **Vote:** Motion carried unanimously by voice vote. Rep. Hands voted by proxy.

01:31:45 **Motion:** Rep. Wilmer moved that **HB 30 DO PASS AS AMENDED.**

Discussion:

01:31:51 Chairman Himmelberger

01:32:03 **Motion:** Rep. Wilmer moved that **HB 30 BE AMENDED. EXHIBIT (sth18a05)**

Discussion:

01:32:40 Chairman Himmelberger

01:32:58 Rep. Dickenson

01:33:48 Rep. Wilmer

01:34:26 **Vote:** Motion carried unanimously by voice vote. Rep. Hands voted by proxy.

01:34:57 **Motion:** Rep. Wilmer moved that **HB 30 DO PASS AS AMENDED.**

Discussion:

01:35:06 Chairman Himmelberger

01:35:18 Rep. Washburn

01:35:34 Rep. Wilmer

01:35:53 Rep. Brown

01:36:44 Rep. Bean

01:37:06 Rep. Wilmer

01:37:17 Rep. Phillips

01:38:07 Rep. Hendrick

01:38:37 Rep. Caferro

01:39:11 Rep. Wilmer

01:39:17 Rep. O'Hara

01:39:49 **Vote:** Motion carried 15-3 by roll call vote with Rep. Boniek, Rep. Brown, and Rep. Hendrick voting no. Rep. Hands voted by proxy.

EXECUTIVE ACTION ON HB 18

01:41:16 **Motion:** Rep. Ingraham moved that **HB 18 DO PASS.**

Discussion:

01:41:22 Chairman Himmelberger

01:41:34 Rep. Brown

01:42:34 Rep. Ingraham

01:43:24 Rep. Phillips
 01:43:58 Rep. O'Hara
 01:44:49 Rep. Dickenson
 01:46:31 Rep. MacLaren
 01:48:13 Rep. Washburn
 01:48:57 Rep. Ingraham
 01:53:32 Rep. Wilmer
 01:54:07 Rep. Van Dyk exited the room.
 01:55:11 Rep. Malek
 01:57:15 Rep. Belcourt
 01:58:01 Rep. Boss Ribs
 01:58:37 Chairman Himmelberger

02:00:18 **Vote:** Motion failed 9-9 by roll call vote with Rep. Bean, Rep. Boniek, Rep. Brown, Rep. Hendrick, Rep. Himmelberger, Rep. Ingraham, Rep. MacLaren, Rep. O'Hara, and Rep. Washburn voting aye. Rep. Van Dyk voted by proxy.

02:01:42 **Motion/Vote:** Rep. Ingraham moved that **HB 18 BE TABLED.** Motion failed 8-8 by roll call vote with Rep. Belcourt, Rep. Boss Ribs, Rep. Caferro, Rep. Dickenson, Rep. MacLaren, Rep. Malek, Rep. Phillips, and Rep. Wilmer voting aye.

02:04:06 Chairman Himmelberger
 02:04:40 Rep. Phillips
 02:05:08 Chairman Himmelberger

ADJOURNMENT

02:05:22 Adjournment: 11:05 a.m.

MARSHALL MCEWEN, Secretary

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Additional Documents:

EXHIBIT ([sth18aad.pdf](#))